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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PATDOCTC@fr.com

# Office Action Summary

**Application No.**

10/733,251

**Applicant(s)**

FISCHER ET AL.

**Examiner**

RYAN D. DONLON

**Art Unit**

3695

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-75 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-75 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Objections***

1. Claim 17 is objected to because of the following informalities: This claim recites "wherein the report at least" appears to be grammatically incorrect. Appropriate correction is required.

***Drawings***

2. The drawings are objected to because they are illegible. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 32-71, 73 and 75 are rejected under 35 U.S.C. 101 because Claims 32-71, 73 and 75 rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.
4. Claims 32, 73 and 75 recite processes comprising the steps of providing a unified database; however, these steps are directed towards nominal data gathering. As *Comiskey* recognized, "the mere use of the machine to collect data necessary for application of the mental process may not make the claim patentable subject matter." *Comiskey*, 499 F.3d at 1380 (citing *In re Grams*, 888 F.2d 835, 839-40 (Fed. Cir. 1989)). See: *Ex parte Lars Langemyr*, *Magnus Markland*, *Arne Nordmark*, *Per-Olof Persson*, and *Magnus Ringh*, Appeal No. 2008-1495, Application No. 09/675,778.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-4, 7-11, 17-19, 22-25, 28-34, 37-41, 46-49, 52-56, 58-68 and 70-73 rejected under 35 U.S.C. 103(a) as being unpatentable over Micciantuono US 2003/10225639 A1 (hereinafter Micciantuono) in view of Legislative Audit Division of Montana "Montana Integrated System to Improve Customer Service" (hereinafter MISTICS) published August 2002.

7. As per **claim 1**:

Micciantuono teaches a system for handling unemployment insurance comprising:

a unified database containing unemployment insurance benefit data and unemployment insurance tax data, wherein the unemployment insurance benefit data comprises a benefit status of a claimant and the unemployment insurance tax data comprises a tax payment status of an employer ("tax withholding status" implies, suggests or makes obvious unemployment tax) associated with the claimant (see at least paragraphs [0033]-[0036]);

Micciantuono does not teach a functional layer that is configured to evaluate a request for an unemployment insurance benefit by the claimant based on the benefit status of the claimant and the tax payment status of the employer.

8. However MISTICS teaches a functional layer that is configured to evaluate a request for an unemployment insurance benefit by the claimant based on the benefit status of the claimant and the tax payment status (Federal Income Tax Withholding) of the employer (see at least page 2 "audit objectives")

9. It would have been obvious to one of ordinary skill in the art to include in the practice of providing a unified database of unemployment benefit data and unemployment insurance tax data of Micciantuono, the practice of providing a function layer to evaluate a request for unemployment as taught by MISTICS because this would have determined whether eligibility "issues" exist (see page of MISTICS). Because the claimed invention is merely a combination of old elements, and in the combination, each element merely would have performed the same function as is did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

10. Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings Micciantuono and MISTICS to obtain the invention as specified in claim 1.

11. As per **claim 2**:

Micciantuono teaches a system of claim 1 wherein the unified database further comprises a data manager configured to manage the unemployment insurance benefit data and the unemployment insurance tax data (see at least paragraphs [0021], [0033]-[0037]).

12. As per **claim 3**:

Micciantuono teaches a system of claim 1 further comprising an access channel configured to allow a user access to the unified database and to the functional layer

(see at least paragraph [0006]).

13. As per **claim 4**:

Micciantuono teaches a system of claim 3 wherein the access channel comprises a telephone contact center configured to receive telephone calls from a user (see at least paragraph [0006]).

14. As per **claim 7**:

Micciantuono teaches a system of claim 1 further comprising a unified desktop that is configured to allow a worker to manage the unemployment insurance benefit data, the unemployment insurance tax data, and the functional layer (see at least paragraphs [0030]-[0036]).

15. As per **claim 8**:

Micciantuono teaches a system of claim 7 wherein the unified desktop enables the worker to manage the request for the unemployment insurance benefit by the claimant (see at least paragraphs [0036]-[0037]).

16. As per **claim 9**:

Micciantuono does not teach a system of claim 7 wherein the unified desktop enables the worker to manage a payment of an unemployment insurance tax by the employer. However, Micciantuono does teach a system of claim 7 wherein the unified

desktop enables the worker to manage a payment of unemployment insurance fees by the employer (see at least paragraphs [0023]-[0024]). It would have been obvious to substitute the unemployment fees with unemployment taxes, because this is a non-functional descriptive limitation and the invention would have been implemented the same way whether it is fees or taxes that are managed.

17. As per **claim 10**:

Micciantuono does not teach a system of claim 7 wherein the unified desktop comprises one or more pop-up screens that provide information to the worker. However aesthetic design changes that do not impart functionality are not considered patentably distinguishing features (*In re Seid*, 161 F.2d 229, 73 USPQ 431). Further pop-up screens are very old and well known and therefore would have been obvious aesthetic improvements over the prior art.

18. As per **claim 11**:

Micciantuono discloses a system of claim 7 wherein the unified desktop comprises one or more predetermined scripts (forms and reports) for use by the worker (see at least paragraphs [0030]-[0032]).

19. As per **claim 16**:

Micciantuono discloses a system of claim 1 further comprising a reporting layer (see at least paragraph [0031] wherein reports may be generated based on collected



data) that is configured to generate a report based on the unemployment insurance benefit data and the unemployment insurance tax data (see at least paragraphs [0033]-[0035]).

20. As per **claim 17**:

Micciantuono discloses a system of claim 16 wherein the report at least one of an employer balance due report, an employer monthly benefits charge statement, an employer determination of benefits report, a claimant claim history report, a claimant job referral report, a performance metrics report, a notice (see at least paragraph [0031]), an identification of claimant discrepancy report, and an identification of agency discrepancy report.

21. As per **claims 18 and 19**:

Micciantuono does not specifically disclose the limitations of claims 18 and 19. However, Micciantuono suggests a system of claim 1 further comprising an external system interface configured to communicate with an outside entity at least one of a state agency and a federal agency (see at least paragraphs [0021], [0035] wherein it is disclosed a State withhold tax for the benefits of the system. Which suggests withholding these taxes which then would have been remitted (communication) to the respective State agency).

22. Therefore it is either implied, suggested or an obvious improvement to the system of Micciantuono to include in the invention an external system interface to

communicate with an outside state or federal agency because this would have allowed the system to remit the withheld taxes.

23. As per **claim 22**:

Micciantuono teaches a system of claim 1 wherein the functional layer is further configured to check the benefit status of the claimant (see at least paragraphs [0015]-[0025]).

24. As per **claim 23**:

Micciantuono does not teach the system of claim 1 wherein the functional layer is further configured to check the tax payment status of the employer. However MISTICS teaches a system configured to check the tax payment status of the employer (see at least page 2). It would have been obvious to combine the references for at least the reasons mention in the rejection of claim 1.

25. As per **claim 24**:

Micciantuono teaches a system of claim 1 wherein the functional layer is further configured to issue the unemployment insurance benefit to the claimant if the claimant is eligible for the unemployment insurance benefit (see at least paragraph [0021]).

26. As per **claim 25**:

Micciantuono teaches a system of claim 24 wherein the functional layer is further

configured to receive an update of the benefit status of the claimant (see at least paragraph [0037]).

27. As per **claim 26**:

Micciantuono teaches a system of claim 24 wherein the functional layer is further configured to evaluate whether to terminate the unemployment insurance benefit (see at least paragraph [0029]).

28. As per **claim 28**:

Micciantuono teaches a system of claim 1 wherein the functional layer is further configured to:

receive tax information (tax withholding status) regarding taxes owed by the employer (tax withholding is owed by the employer);

and update the unemployment insurance tax data with the tax information (see at least paragraph [0034]).

29. As per **claim 29**:

The system of claim 1 wherein functional layer is further configured to:

receive wage information regarding wages paid by the employer;

and update the unemployment insurance tax data with the wage information (see at least paragraph [0036]).

30. As per **claim 30**:

Micciantuono teaches a system of claim 29 wherein the functional layer is further configured to calculate an amount of unemployment insurance fees owed by the employer based upon the wage information (see at least paragraph [0022]). It would have been obvious to modify Micciantuono to calculate taxes rather than fees because taxes are a specific type of fee and it is old and well known to calculate unemployment taxes.

31. As per **claim 31**:

Micciantuono teaches a system of claim 30 wherein the functional layer is further configured to notify (charging) the employer of the amount of unemployment insurance tax owed by the employer (see at least paragraph [0022]).

32. As per **claim 32**:

A method for handling unemployment insurance, comprising:  
providing a unified database containing unemployment insurance benefit data and unemployment insurance tax data, wherein the unemployment insurance benefit data comprises a benefit status of a claimant and the unemployment insurance tax data comprises a tax payment status of an employer associated with the claimant;  
and evaluating a request for an unemployment insurance benefit by the

claimant based on the benefit status of the claimant and the tax payment status of the employer.

33. This claim is rejected under the same rationale as claim 1 above.

34. As per **claim 33**:

The method of claim 32 further comprising accessing the unified database using an access channel.

35. This claim is rejected under the same rationale as claim 3 above.

36. As per **claim 34**:

The method of claim 33 wherein accessing the unified database comprises receiving a telephone call through a telephone contact center.

37. This claim is rejected under the same rationale as claim 4 above.

38. As per **claim 37**:

The method of claim 32 further comprising managing the unemployment insurance benefit data and the unemployment insurance tax data through a unified desktop.

39. This claim is rejected under the same rationale as claim 7 above.

40. As per **claim 38**:

Micciantuono teaches a method of claim 37 wherein evaluating the request

further comprises evaluating the request through the unified desktop (see at least paragraph [0026]-[0036]).

41. As per **claim 39**:

Micciantuono teaches a method of claim 37 further comprising managing an unemployment insurance fee through the unified desktop (see at least paragraph [0022]-[0024]). It would have been obvious to substitute unemployment insurance tax for the unemployment fee disclosed in the prior art because the tax is a specific type of fee and it was old and well known to manage taxes.

42. As per **claim 40**:

The method of claim 37 further comprising providing information to a worker through one or more pop-up screens through the unified desktop.

43. This claim is rejected under the same rationale as claim 10 above.

44. As per **claim 41**:

The method of claim 37 further comprising providing one or more predetermined scripts to a worker through the unified desktop.

45. This claim is rejected under the same rationale as claim 11 above.

46. As per **claim 46**:

The method of claim 32 further comprising generating a report based on the unemployment insurance benefit data and the unemployment insurance tax data.

47. This claim is rejected under the same rationale as claim 16 above.

48. As per **claim 47**:

The method of claim 46 wherein the report includes at least one of an employer balance due report, an employer monthly benefits charge statement, an employer determination of benefits report, a claimant claim history report, a claimant job referral report, a performance metrics report, a notice, an identification of claimant discrepancy report, and an identification of agency discrepancy report.

49. This claim is rejected under the same rationale as claim 17 above.

50. As per **claim 48 and 49**:

The method of claim 32 further comprising communicating with an external agency through an external system interface; wherein the external agency includes at least one of a state agency or a federal agency.

51. These claims are rejected under the same rationale as claims 18 and 19 above.

52. As per **claim 52**:

The method of claim 32 further comprising checking the benefit status of the claimant.

53. This claim is rejected under the same rationale as claim 22 above.

54. As per **claim 53:**

The method of claim 32 further comprising checking the tax payment status of the employer.

55. This claim is rejected under the same rationale as claim 23 above.

56. As per **claim 54:**

The method of claim 32 further comprising issuing the unemployment insurance benefit to the claimant if the claimant is eligible for the unemployment insurance benefit.

57. This claim is rejected under the same rationale as claim 24 above.

58. As per **claim 55:**

The method of claim 54 further comprising receiving an update of the benefit status of the claimant.

59. This claim is rejected under the same rationale as claim 25 above.

60. As per **claim 56:**

The method of claim 55 further comprising evaluating whether to terminate the unemployment insurance benefit.

61. This claim is rejected under the same rationale as claim 26 above.



62. As per **claim 58:**

The method of claim 32 further comprising:

receiving tax information regarding an unemployment insurance tax owed by the employer;

and updating the unemployment insurance tax data with the tax information.

63. This claim is rejected under the same rationale as claim 28 above

64. As per **claim 59:**

The method of claim 58 further comprising:

receiving wage information regarding wages paid by the employer;

and updating the unemployment insurance tax data with the wage information.

65. This claim is rejected under the same rationale as claim 29 above.

66. As per **claim 60:**

The method of claim 59 further comprising calculating an amount of unemployment insurance tax owed by the employer based upon the wage information.

67. This claim is rejected under the same rationale as claim 30 above.

68. As per **claim 61:**

The method of claim 60 further comprising notifying the employer of the amount of unemployment insurance tax owed or credit earned by the employer.

69. This claim is rejected under the same rationale as claim 31 above.

70. As per **claim 62**:

The method of claim 32 further comprising registering (becoming a client) an employer (see at least paragraphs [0011] and [0030]).

71. As per **claim 63**:

Micciantuono does not teach a method of claim 32 further comprising notifying an employer of a delinquent tax payment. However, Official Notice is taken that it was old and well known at the time of the invention to alert a client when a payment is delinquent. For example, companies often send out past due notices to customers who are late making payments.

72. It would have been obvious to one of ordinary skill in the art to include in the practice of administering an unemployment benefit of Micciantuono, the well known practice of notifying a delinquent customer because this would encourage payments on delinquent accounts. Further, the claimed invention is merely a combination of old elements, and in the combination, each element merely would have performed the same function as is did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

73. Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings Micciantuono, MISTICS and the well known practice of alerting

delinquent customers to obtain the invention as specified in claim 63.

74. As per **claim 64**:

Micciantuono discloses a method of claim 32 further comprising performing a wage investigation (see at least paragraph [0036]).

75. As per **claims 65 and 66**:

Micciantuono does not teach a method of claim 32 further comprising making an adjustment to a tax of the employer; and  
generating a notice of the adjustment

76. However, Official Notice is taken that it was old and well known in the art at the time of the invention to adjust unemployment taxes of the employer. For example, unemployment is often calculated as a function of the unemployment risk of the company (or industry of the company) and the balance of the unemployment coffers. In the event that the overall unemployment risk changes or the unemployment insurance funds pass certain thresholds, companies are notified of the changes in the unemployment tax (also known as FUTA) rates.

77. It would have been obvious to one of ordinary skill in the art to include in the practice of administering an unemployment benefit of Micciantuono, the old and well known practice of administering the unemployment tax rate because this would effectively allow for the unemployment benefit fees to change based upon demands of the economy. Further the claimed invention is merely a combination of old elements,

and in the combination, each element merely would have performed the same function as is did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

78. Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings Micciantuono, MISTICS and the old and well known practice of administrating an unemployment tax to obtain the invention as specified in claims 65 and 66.

79. As per **claim 67**:

Micciantuono does not disclose a method of claim 32 further comprising managing an employer insolvency. However, Micciantuono teaches managing unemployment insurance benefits. It would have been obvious to provide such a benefit in the event of employer insolvency. Further Official Notice is taken that it was old and well known in the art at the time of the invention provide unemployment insurance benefit for employees of insolvent companies. For example when employees are laid off after a bankruptcy of their company, employees often file for unemployment benefits.

80. It is therefore either implied or obvious for the system of Micciantuono to provide benefit for the employees of insolvent companies because these ex-employees would be unemployed and therefore be in need of unemployment insurance benefits.

81. As per **claim 68**:

Micciantuono teaches a method of claim 32 further comprising processing an

unemployment insurance benefit payment (see at least paragraph [0021]).

82. As per **claim 70**:

Micciantuono teaches the method of claim 32 further comprising accounting for a benefit payment (see at least paragraph [0008]).

83. As per **claim 71**:

Micciantuono does not disclose The method of claim 32 further comprising performing an audit. However MISTICS teaches performing an audit (see at least enumerated page 1).

84. It would have been obvious to combine the Micciantuono with MISTICS for at least the reasons mention in claim 1 above.

85. As per **claim 72**:

A system for handling unemployment insurance comprising:  
unemployment insurance benefit data comprising a benefit status of a claimant;  
unemployment insurance tax data comprising a tax payment status of an employer associated with the claimant;  
and a unified desktop that is configured to process a function related to an unemployment insurance benefit for the claimant and a function related an unemployment insurance tax for the employer, based on the benefit status of the claimant and the tax payment status of the employer.

86. This claim is rejected under the same rationale as claim 7 above.

87. As per **claim 73**:

A method for handling unemployment insurance comprising:

providing unemployment insurance benefit data comprising a benefit status of a claimant;

providing unemployment insurance tax data comprising a tax payment status of an employer associated with the claimant;

processing a function related to an unemployment insurance benefit for the claimant and a function related an unemployment insurance tax for the employer, based on the benefit status of the claimant and the tax payment status of the employer, through a unified desktop.

88. This claim is rejected under the same rationale as claim 7 above.

89. Claims 5-6, 12-15, 35-36 and 42-45 are is rejected under 35 U.S.C. 103(a) as being unpatentable over Micciantuono in view of MISTICS as applied to claim 3 above, and further in view of Neu et al., "Sending Your Government a Message" (hereinafter Neu) published 1999.

90. As per **claim 5**:

Micciantuono teaches a system of claim 3 wherein the access channel configured to communicate with a user over a computer network (see at least claim 14).

91. Micciantuono does not teach wherein the access channel comprises a web self-service center.

92. However Neu teaches an unemployment benefits access channel comprises a web self-service center configured to communicate with a user over a computer network (see at least page 13).

93. It would have been obvious to one of ordinary skill in the art to include in the practice of providing an access channel of Micciantuono, the practice of providing an access channel as taught by Neu because this would have saved staffing costs. Further, the claimed invention is merely a combination of old elements, and in the combination, each element merely would have performed the same function as is did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

94. Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings Micciantuono, MISTICS and Neu to obtain the invention as specified in claim 5.

95. As per **claim 35**:

The method of claim 33 wherein accessing the unified database comprises communicating with the unified database over a computer network using a web self-service center.

96. This claim is rejected under the same rationale as claim 5 above.

97. As per **claim 6**:

Micciantuono does not teach a system of claim 3 wherein the access channel comprises an optical character recognition module configured to scan a paper document received from a user and convert information on the paper document to computer readable data.

98. However Neu teaches a system wherein the access channel comprises an optical character recognition module configured to scan a paper document received from a user and convert information on the paper document to computer readable data (see at least page 65).

99. It would have been obvious to combine Micciantuono, MISTICS and Neu for the same reasons as claim 5 above.

100. As per **claim 36**:

The method of claim 33 wherein accessing the unified database comprises scanning a paper document and converting information on the paper document into computer readable data.

This claim is rejected under the same rationale as claim 6 above.

101. As per **claim 12**:

Micciantuono does not teach a system of claim 1 further comprising a web page interface configured to receive a web-based communication from a user.



102. However Neu teaches a system comprising a web page interface configured to receive a web-based communication (receiving input from a web page) from a user (see at least page 71).

103. It would have been obvious to combine Micciantuono, MISTICS and Neu for the same reasons as claim 5 above.

104. As per **claim 13**:

Micciantuono does not teach a system of claim 12 wherein the web page interface is configured to send a web-based communication to a user.

105. However Neu teaches a system wherein the web page interface is configured to send a web-based communication (presenting a webpage) to a user (see at least page 71).

106. It would have been obvious to combine Micciantuono, MISTICS and Neu for the same reasons as claim 5 above.

107. As per **claim 14**:

Micciantuono does not teach a system of claim 12 wherein the web page interface comprises one or more web pages configured to enable the claimant to submit the request for the unemployment insurance benefit.

108. However Neu teaches a system wherein the web page interface comprises one or more web pages configured to enable the claimant to submit the request for the unemployment insurance benefit (see at least page 71).

109. It would have been obvious to combine Micciantuono, MISTICS and Neu for the same reasons as claim 5 above.

110. As per **claim 42**:

The method of claim 32 further comprising receiving a first web-based communication from a user through a web-based interface.

111. This claim is rejected under the same rationale as claim 12 above

112. As per **claim 43**:

The method of claim 42 further comprising sending a second web-based communication to a user through the web-based interface.

113. This claim is rejected under the same rationale as claim 13 above.

114. As per **claim 44**:

The method of claim 32 further comprising providing one or more web pages that enable the claimant to file the request for the unemployment insurance through a web-based interface.

115. This claim is rejected under the same rationale as claim 14 above.

116. Claims 15 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Micciantuono in view of MISTICS and further in view of Neu as applied to claim 12

above, and further in view of Knight Ridder Tribune Business New, "South Carolina Tax Payments Go Online" (hereinafter Knight).

117. As per **claim 15**:

Micciantuono does not teach a system of claim 12 wherein the web page interface comprises one or more web pages configured to enable the employer to manage an unemployment insurance tax.

118. However Knight teaches a system wherein the web page interface comprises one or more web pages configured to enable the employer to manage an unemployment insurance tax

119. It would have been obvious to one of ordinary skill in the art to include in the practice of providing an access channel of Micciantuono, the practice of providing an access channel as taught by Knight because this would have saved staffing costs. Further, the claimed invention is merely a combination of old elements, and in the combination, each element merely would have performed the same function as is did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

120. Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings Micciantuono, MISTICS, Neu and Knight to obtain the invention as specified in claim 15.

121. As per **claim 45**:

The method of claim 32 further comprising providing one or more web pages that

enable the employer to manage an unemployment insurance tax through a web-based interface.

122. This claim is rejected under the same rationale as claim 15 above.

123. Claims 20-21 and 50-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Micciantuono in view of MISTICS as applied to claim 1 above, and further in view of Callen et al., US 6332125 B1 (hereinafter Callen).

124. As per **claim 20 and 21**:

Micciantuono does not disclose the system of claim 1 wherein the functional layer is further configured to:

receive the request for the unemployment insurance benefit;

send a notification to the employer associated with the claimant indicating that the claimant is seeking the unemployment insurance benefit;

receive a response from the employer to the notification; and

update the unified database based on the response from the employer

125. However Callen discloses a system which receives the request for the unemployment insurance benefit and receiving a notification from the employer in response to a termination event in order to verify a request for an unemployment insurance benefit and storing the notification in a database (see at least column 9 paragraphs 2-5). Therefore the limitations of claims 20 and 21 are obvious improvements over the prior art.

126. It would have been obvious to one of ordinary skill in the art to include in the practice of providing an access channel of Micciantuono, the practice of verifying an unemployment claim as taught by Callen because this would have saved staffing costs. Further, the claimed invention is merely an obvious improvement over old elements since the difference between the prior art and the limitations as claimed are obvious and the verifications both affected identically, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

127. Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings Micciantuono, MISTICS, Neu and Callen to obtain the invention as specified in claims 20 and 21.

128. As per **claim 50 and 51**:

The method of claim 32 further comprising:

receiving the request for the unemployment insurance benefit;

sending a notification to the employer associated with the claimant indicating that the claimant is seeking the unemployment insurance benefit;

receiving a response from the employer to the notification; and

further comprising updating the unified database based on the response from the employer.

This claim is rejected under the same rationale as claims 20 and 21 immediately above.

129. Claims 20-21 and 50-51 are also rejected under 35 U.S.C. 103(a) as being unpatentable over Micciantuono in view of **MISTICS** as applied to claim 1 above, and further in view of National Finance Center "Unemployment Compensation For Federal Employees" (hereinafter **UCFE**).

130. As per **claims 20 and 21**:

131. Micciantuono does not disclose the system of claim 1 wherein the functional layer is further configured to:

- receive the request for the unemployment insurance benefit;
- send a notification to the employer associated with the claimant indicating that the claimant is seeking the unemployment insurance benefit;
- receive a response from the employer to the notification; and
- update the unified database based on the response from the employer.

132. However **UCFE** discloses receive the request for the unemployment insurance benefit;

- send a notification to the employer associated with the claimant indicating that the claimant is seeking the unemployment insurance benefit;
- receive a response from the employer to the notification; and
- update the unified database based on the response from the employer (see at least page 3).

133. It would have been obvious to one of ordinary skill in the art to include in the practice of providing an access channel of Micciantuono, the practice of verifying an unemployment claim as taught by **UCFE** because this would have saved staffing costs.

Further, the claimed invention is merely an combination of old elements and each element would have performed the same function as is did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings Micciantuono, MISTICS, Neu and UCFE to obtain the invention as specified in claims 20 and 21.

134. As per **claim 50 and 51:**

The method of claim 32 further comprising:  
receiving the request for the unemployment insurance benefit;  
sending a notification to the employer associated with the claimant indicating that the claimant is seeking the unemployment insurance benefit;  
receiving a response from the employer to the notification; and  
further comprising updating the unified database based on the response from the employer.

This claim is rejected under the same rationale as claims 20 and 21 immediately above.

135. Claims 27, 57, and 69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Micciantuono in view of MISTICS as applied to claim 1 above, and

further in view of Dan Harrie. "Reporting Of New Hires Saves Millions For State" (hereinafter Harrie).

136. As per **claim 27**:

Micciantuono does not teach a system of claim 1 wherein the functional layer is further configured to determine whether the request for the unemployment insurance benefit is fraudulent based on a tax payment status of a second employer associated with the claimant.

137. However Harrie discloses using a second employer data to determine whether the request for unemployment insurance benefit is fraudulent. Further, it would have been obvious to modify Harrie to use a tax payment status because it is old and well known to retrieve tax data and analyze it.

138. Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings Micciantuono, MISTICS and Harrie to obtain the invention as specified in claim 27.

139. As per **claim 57**:

The method of claim 32 further comprising determining whether the request by the claimant is fraudulent based on a tax payment status of a second employer associated with the claimant.

140. This claim is rejected under the same rationale as claim 27 above.



141. As per **claim 69**:

Micciantuono does not teach the method of claim 32 further comprising notifying a claimant of an unemployment insurance benefit overpayment. However Harrie teaches notifying a claimant of an unemployment insurance benefit overpayment (see at least page 2 paragraph 2).

It would have been obvious to one of ordinary skill in the art to combine the teachings Micciantuono, MISTICS and Harrie to obtain the invention as specified in claim 69 for at least the reasons mention in 27 above.

142. Claims 74-75 are rejected under 35 U.S.C. 103 as being unpatentable over Micciantuono.

143. As per **claim 74**:

A system for handling unemployment insurance comprising:

a unified database containing unemployment insurance benefit data and unemployment insurance tax data (see at least paragraphs [0008], [0033]-[0036]);

and a functional layer that is configured to perform a function related to an unemployment insurance benefit for a claimant (see at least paragraph [0021]) and a function related taxes for an employer (see at least paragraphs [0008]), based on the unemployment insurance benefit data and the unemployment insurance tax data.

144. It would have been obvious to modify Micciantuono to perform a function with regard to unemployment insurance tax rather than simply withholding taxes because

unemployment insurance taxes are a specific type of withholding taxes.

145. As per **claim 75**:

Micciantuono discloses a method for handling unemployment insurance comprising:

providing a unified database containing unemployment insurance benefit data and unemployment insurance tax data;

and performing a function related to an unemployment insurance benefit for a claimant and a function related an unemployment insurance tax for an employer, based on the unemployment insurance benefit data and the unemployment insurance tax data.

146. This claim is rejected under the same rationale as claim 74 above.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RYAN D. DONLON whose telephone number is (571)270-3602. The examiner can normally be reached on Monday through Friday 7:30am to 5:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Kyle can be reached on (571) 272-6746. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Ryan D Donlon/  
Examiner, Art Unit 3695  
January 21, 2009

/Narayanswamy Subramanian/  
Primary Examiner, Art Unit 3695